

**CITY OF ALAMEDA  
COMMUNITY DEVELOPMENT DEPARTMENT**

**ADMINISTRATIVE USE PERMIT**

**ITEM NO:** 3-C

**APPLICATION NO:** PLN12-0319 – Jamestown South Shore Center – 523 West Southshore

**PROJECT  
DESCRIPTION:**

The applicant requests a Use Permit to allow the creation and operation of a temporary ice rink at the subject property parking lot adjacent to the Petco Store. Included in this entitlement are the following components:

- A 40 by 80 foot ice skating rink
- Six foot- high temporary fencing
- A Temporary Utility Structure
- A “Swag Shop”
- Temporary Lighting
- Removal of two parking lot trees that will be replanted upon removal of the ice rink.
- Dates of Operation are November 10, 2012  
Through January 31, 2013

**GENERAL PLAN:** Community Commercial

**ZONING:** C-2 PD Central Business District, Planned Development

**ENVIRONMENTAL  
DETERMINATION:**

This project is a Class 1 Categorical Exemption and no additional environmental review is necessary pursuant to CEQA Guidelines Section 15301 - Existing Facilities.

**PROJECT PLANNER:** Andrew Thomas, Acting City Planner

**PUBLIC NOTICE:** A notice for this hearing was mailed to property owners and residents within 300 feet of the site, published in local newspapers and posted in public areas near the subject property. During the public notice period, staff did not receive any response to the notification.

**ATTACHMENTS:**

1. Site Plan
2. Public Notification Map

**ACRONYMS:** AMC – Alameda Municipal Code  
C-M Commercial Manufacturing

**RECOMMENDATION:**

Zoning Administrator Hearing  
Meeting of October 16, 2012

Find that the project will not cause significant adverse effects to the physical environment, is Categorically Exempt from environmental review and approve the project with conditions based on the following findings:

#### **FINDINGS:**

- 1. The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.**

This temporary use as conditioned, will favorably relate to other property, uses and intensities in the vicinity and to the General Plan of the City and will not cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity because: It will operate within the daily hours of not greater than noon to 10:00 pm. The site plan will allow for safe vehicular and pedestrian ingress and egress and will conform to all applicable regulations of the City of Alameda as well as the County and State.

- 2. The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.**

The property is fully developed and does not require additional service facilities. The Shopping Center has existing accessible restrooms. There are existing bicycle parking facilities on-site. Additionally, several bus stops are located near the site. AC Transit bus routes 20, 21, 314, 356 and W serve this area.

- 3. The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have deleterious effects on existing business districts or the local economy.**

Conditions of approval will ensure that the facility will not adversely affect other property in the vicinity. Conditions include light and noise controls. Granting this Use Permit will not affect other properties or create significant impacts on the neighborhood.

- 4. The proposed use relates favorably to the General Plan.**

The General Plan designation for this parcel is Community Commercial, which calls for small retail stores, professional and medical offices, motels, and department stores, and recreational opportunities.

#### **CONDITIONS:**

1. The plans submitted for Use Permit shall be in substantial compliance with plans dated 9-14-12 by Jamestown on file in the office of the City of Alameda Community Development Department, except as modified by the conditions listed in this letter.
2. Building permit plans shall incorporate this approval notice, including the conditions of approval.
3. The applicant shall provide a list of any hazardous materials to the Community Development Department prior to the issuance of a building/electrical permit. This list

- shall include the quantity and location of these hazard materials to be stored on site.
4. Any storm water, including melted ice water, shall be directed off site to the satisfaction of the Director of Public Works.
  5. Any new temporary exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare. The garland of holiday lights shall also be of low intensity, but not required to be directed downward.
  6. Any amplified sound shall not be audible from the properties across Park Street and the adjacent residential uses. No amplified sound shall be provided after 10:00 PM that is audible from the public right of way.
  7. The applicant shall provide directional signage directing participants and shoppers to alternative parking locations on site to minimize or prevent overflow parking in the adjacent neighborhoods and streets.
  8. The final plans, submitted for building permit approval, shall conform to the Alameda Municipal Code.
  9. Any substantial changes to the site plan shall be submitted to the Community Development Department for review and approval prior to construction.
  10. Low security lighting will be allowed as needed for the duration of the use on a twenty-four hour basis.
  11. The duration of this use shall be limited to the dates of November 10, 2012 to January 31, 2013.
  12. All temporary fencing, lighting, trash receptacles and other equipment associated with this use shall be removed from the site within ten calendar days of the cessation of the use.
  13. Trash and recycling receptacles shall be located on the subject property for the duration of the Use Permit. The maintenance of these receptacles are the sole responsibility of the applicant. The subject property shall be kept free of all litter at all times.
  14. Indemnification: The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, its Redevelopment Agency, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda Redevelopment Agency, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, Alameda City Planning Board, the City of Alameda Redevelopment Agency or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

## **DECISION:**

### Environmental Determination

The Zoning Administrator has determined that this project is a Class 1 Categorical Exemption and no additional environmental review is necessary pursuant to CEQA Guidelines Section 15301 - Existing Facilities.

Use Permit Review

The Zoning Administrator approves the Use Permit with conditions.

The decision of the Zoning Administrator shall be final unless appealed to the Planning Board, in writing and within ten (10) days of the decision.

Approved by: \_\_\_\_\_

Andrew Thomas  
Zoning Administrator

Date: 10/16/12